

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, and

TAIWAN SCOTT, on behalf of himself and all other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official capacity as President of the Senate; LUKE A. RANKIN, in his official capacity as Chairman of the Senate Judiciary Committee; JAMES H. LUCAS, in his official capacity as Speaker of the House of Representatives; CHRIS MURPHY, in his official capacity as Chairman of the House of Representatives Judiciary Committee; WALLACE H. JORDAN, in his official capacity as Chairman of the House of Representatives Elections Law Subcommittee; HOWARD KNAPP, in his official capacity as interim Executive Director of the South Carolina State Election Commission; JOHN WELLS, Chair, JOANNE DAY, CLIFFORD J. EDLER, LINDA MCCALL, and SCOTT MOSELEY, in their official capacities as members of the South Carolina Election Commission,

Defendants.

**Case No. 3-21-cv-03302-MBS-
TJH-RMG**

**PLAINTIFFS' SECOND
SUPPLEMENTAL INITIAL
DISCLOSURES REGARDING
CONGRESSIONAL
REAPPORTIONMENT MAP
PURSUANT TO FED. R. CIV. P.
26(a)(1), LOCAL RULE 26.03
(A)(1), (4), AND COURT'S
SCHEDULING ORDERS**

THREE-JUDGE PANEL

Pursuant to Rule 26(a)(1) of the Federal Rules of Procedure, Local Rule 26.03, and the Court's February 25, 2022, Scheduling Order (ECF No. 180) and any subsequent scheduling order(s), Plaintiffs The South Carolina State Conference of the NAACP ("SC NAACP") and Taiwan Scott (collectively, "Plaintiffs"), provide the following Second Supplemental Initial Disclosures Regarding the Congressional Reapportionment Map ("Congressional map"), based upon information currently available to Plaintiffs. Plaintiffs hereby reserve the right to amend and/or supplement these Second Supplemental Initial Disclosures based on new information obtained in discovery or otherwise during this action.

RESERVATION OF RIGHTS

These Second Supplemental Initial Disclosures are not intended to, and do not, constitute admissions as to the relevance or admissibility of the information disclosed, and are made without any waiver of attorney-client privilege, work product protection, or any other applicable privilege, protection, or immunity.

A. Individuals

Based on information currently available to Plaintiffs, the following individuals are likely to have discoverable information that Plaintiffs may use to support their claims or defenses regarding their challenge to the Congressional map, not including information used solely for impeachment.

1. Individuals and subchapters identified as Plaintiffs in this action and individuals and subchapters affiliated with Plaintiffs SC NAACP and Taiwan Scott who have general knowledge or information regarding (i) South Carolina's redistricting process and the state's history of redistricting; and (ii) South Carolina's voting population, including voting patterns and demographics, and who may be contacted through Plaintiffs' undersigned counsel:
 - a. Executive leadership of the South Carolina State Conference of the NAACP, including

- Brenda Murphy, President
 - Dorothy “Dot” Scott, President, Charleston Branch NAACP
 - Elizabeth R. Kilgore, President, Sumter Branch NAACP
 - Phillip Scott, President, North Charleston Branch NAACP
 - Henry Griffin, President, Upper Berkeley Branch NAACP, and second Vice President of the SC State Conference
 - Oveta Glover, President, Columbia Branch NAACP
 - James L. Felder, Columbia Branch NAACP political action chair
- b. Taiwan Scott
2. Individuals identified as Defendants in this action, including:
- a. Thomas C. Alexander, in his official capacity as Chairman of the Senate Judiciary Committee;
 - b. Rep. James H. Lucas, in his official capacity as Speaker of the South Carolina House of Representatives;
 - c. Chris Murphy, in his official capacity as Chairman of the South Carolina House of Representatives Judiciary Committee;
 - d. Rep. Wallace H. Jordon, in his official capacity as Chairman of the South Carolina House of Representatives Elections Law Subcommittee;
 - e. Howard Knapp, in his official capacity as interim Executive Director of the South Carolina State Election Commission;
 - f. John Wells, in his official capacity as a member of the South Carolina State Election Commission;
 - g. Joanne Day, in her official capacity as a member of the South Carolina State Election Commission;
 - h. Clifford J. Elder, in his official capacity as a member of the South Carolina State Election Commission;
 - i. Linda McCall, in her official capacity as a member of the South Carolina

State Election Commission; and

- j. Scott Moseley, in his official capacity as a member of the South Carolina State Election Commission.
3. Members of the South Carolina State House of Representatives who may have information regarding the South Carolina redistricting process and South Carolina's voting population, including, but not limited to:
 - a. Representative Justin T. Bamberg;
 - b. Representative Beth E. Bernstein;
 - c. Representative Wendy C. Brawley;
 - d. Representative Gilda Cobb-Hunter;
 - e. Representative Neal A. Collins;
 - f. Representative Jason Elliott;
 - g. Representative Jerry N. Govan;
 - h. Representative John Richard C. King;
 - i. Representative Patricia Moore Henegan;
 - j. Representative Annie McDaniel;
 - k. Representative Wm. Weston J. Newton;
 - l. Representative Spencer Wetmore;
 - m. Representatives Ivory Thigpen;
 - n. Representative Kambrell H. Garvin;
 - o. Representative Gary Simrill; and
 - p. Representative Garry Smith.
4. Staff members for the South Carolina State House of Representatives, including but not limited to, staff members for the Judiciary Committee and Elections Law Subcommittee who may have information regarding: (i) the 2020 South Carolina redistricting process; (ii) South Carolina's history of redistricting; (iii) the Congressional map(s) drawn for the South Carolina State House of Representatives; and (iv) South Carolina's voting population, including their voting

patterns and demographics, racially polarized voting, including, but not limited to:

- a. Sebastian Bass;
 - b. Emma Dean, Chief Counsel to the South Carolina House of Representatives Judiciary Committee;
 - c. Joleigh “Eliza” Deguit;
 - d. Patrick Dennis, General Counsel, South Carolina House of Representatives;
 - e. Megan Goyak;
 - f. Thomas Hauger, Data and GIS Director for Redistricting, South Carolina House of Representatives;
 - g. Daniel Ingley;
 - h. Sarah Grace Williamson;
 - i. Haley Mottel, Deputy Counsel/Policy Advisor to the South Carolina House Speaker;
 - j. Roland Franklin, Assistant Chief Counsel, South Carolina House of Representatives;
 - k. Jimmy Hinson, Assistant Chief Counsel, South Carolina House of Representatives Judiciary Committee; and
 - l. Ashley Van Walker Harwell-Beach, South Carolina Code Commissioner and Director.
5. Members of the South Carolina State Senate who may have information regarding the South Carolina redistricting process and South Carolina’s voting population, including, but not limited to:
 - a. Senator Richard A. Harpootlian;
 - b. Senator Brad Hutto;
 - c. Senator Marlon Kimpson;
 - d. Senator Shane R. Martin;
 - e. Senator A. Shane Massey;
 - f. Senator Bright Matthews;

- g. Senator George E. Campsen, III;
 - h. Senator Tom Young, Jr.;
 - i. Senator Harvey S. Peeler, Jr.;
 - j. Senator Luke A. Rankin;
 - k. Senator Ronnie A. Sabb;
 - l. Senator Scott Talley;
 - m. Senator Larry Grooms;
 - n. Senator Sean Bennett; and
 - o. Senator John Scott.
6. Staff members for the South Carolina State Senate, including but not limited to, staff members for the Senate Judiciary Committee who may have information regarding: (i) the 2020 South Carolina redistricting process; (ii) South Carolina's history of redistricting; (iii) the Congressional map(s) drawn for the South Carolina U.S. Congressional Districts; and (iv) South Carolina's voting population, including their voting patterns and demographics, racially polarized voting, including, but not limited to:
- a. Paula Benson, Assistant Director of Research and Senior Staff Attorney;
 - b. Andy Fiffick, Chief of Staff and Director of Research;
 - c. Will Roberts, Committee Research Staff/Cartographer;
 - d. Charles (Charlie) Terreni, Terreni Law Firm;
 - e. Breeden John, South Carolina Senate Judiciary Committee, Staff Attorney;
 - f. Grayson Morgan, Committee Research Staff/Cartographer;
 - g. Maura Baker, South Carolina Senate Judiciary Committee, Staff Attorney;
 - h. Madison Fault, South Carolina Senate Judiciary Committee, Staff Attorney;
 - i. Michelle McGhee, South Carolina Senate Judiciary Committee, Staff;
 - j. Maxine Henry, South Carolina Senate Judiciary Committee, Staff;
 - k. Brian Cohl, South Carolina Senate Judiciary Committee, Staff (of Sen.

Campsen);

1. Jolie Patterson, South Carolina Senate Judiciary Committee, Staff; and
- m. Reagan Chase Kelly, Director of Communications and Legislative Policy at South Carolina Senate Majority Caucus.
7. Members of the U.S. House of Representatives from South Carolina including:
 - a. Rep. James E. “Jim” Clyburn;
 - b. Rep. Addison Graves “Joe” Wilson; and
 - c. Rep. Nancy Mace.
8. Third-party individuals and organizations focused on redistricting, including their members, employees, and agents, who may have information on the redistricting process in South Carolina and the impact of the redistricting process on South Carolina’s communities, including, but not limited to:
 - a. Adam Kincaid, Executive Director, the National Republican Redistricting Trust, 1750 Tysons Boulevard, Suite 1500, McLean, VA 22102, (703) 245-8020.
 - b. R. Joseph Oppermann, Oppermann Law Firm, LLC, 1100 Blackman Rd., Pendleton, SC 29670, (864) 260-4048.
 - c. Lynn Teague, Vice President for Issues and Action, League of Women Voters of South Carolina, P.O. Box 8453, Columbia, SC 29202, (803) 556-9802.
 - d. Dr. John Ruoff, Principal, The Ruoff Group, 6170 Crabtree Road, Columbia, SC 29206.
 - e. Dalton “Dale” Lamar Oldham, Jr. +180353002893, 80332370586, 202-863-5323; 803-772-7729, Dalton Dalton L Oldham LLC, 1119 Susan Street, Columbia, SC 29210, 310 First Street SE, Washington, DC 20003; 5004 Celtic Drive #2, Alexandria, VA 22310; 137 Edgewater Ln, Lexington, SC 29072; dloesq@aol.com; doldham@rnchq.org; doldham@gop.com; dloesq1@aol.com; winder@computerdyn.com.
 - f. Clark Bensen, Poli-data, [POLIDATA ® Home Page](#).
 - g. Anjene Davis, c/o NAACP Legal Defense and Educational Fund, Inc. 40 Rector Street, New York, NY 10006
9. Expert witnesses, who have information regarding the manner in which South

Carolina's congressional map was drawn and the voting population within each drawn district, are to be identified pursuant to the Court's Scheduling Order(s) regarding expert discovery:

- a. Mr. Sean P. Trende (Defendants' expert);
- b. Dr. Moon Duchin;
- c. Dr. Jordan Ragusa;
- d. Dr. Kosuke Imai;
- e. Dr. Baodong Liu; and
- f. Dr. Joseph Bagley.

10. Individuals identified by any Defendant in their initial disclosures and any supplemental disclosures, including those of House Defendants on June 6, 2022.

Plaintiffs reserve the right to seek discovery from, and relating to, other persons that may subsequently become known as persons likely to have discoverable information. Plaintiffs further reserve the right to modify the foregoing list and to identify and call as witnesses additional persons if, during the course of their investigation and discovery relating to this case, Plaintiffs learn that such additional persons have knowledge or information that Plaintiffs may use to support their claims, defenses, and proposed remedies.

B. Documents

Based on information reasonably available, Plaintiffs identify the following documents, electronically stored information, or other tangible things, all of which are maintained by them, are already in possession of the parties, or are publicly available, that Plaintiffs may use to support their claims, defenses, and proposed remedies, unless such use is solely for impeachment:

1. Data and analyses relating to South Carolina's demographics, voter registration, voter turnout, election results, voting patterns, and the 2020 South Carolina redistricting process;
2. Memoranda, minutes, newspaper articles, public statements, legislation introduced, and/or legislative hearing/committee transcripts, press releases and/or videos,

- redistricting criteria, and other documents related to the 2020 South Carolina redistricting process;
3. Public testimony, correspondence, and other documents regarding the 2020 South Carolina redistricting process;
 4. Expert and fact witness material, to be identified pursuant to the Court's Scheduling Order(s) regarding expert discovery;
 5. SC NAACP organizational mission statement;
 6. Any document produced during the course of discovery, including by the parties and through third-party subpoenas, pursuant to the Court's Scheduling Order(s).

These Initial Disclosures do not constitute an admission as to the existence, relevance, or admissibility of the identified materials, or a waiver of any attorney-client or work product privilege, or other applicable privilege or immunity.

Plaintiffs continue to search for additional documents, electronically stored information, or other tangible things that they may use to support their claims, defenses, and/or proposed remedies, and expressly reserve the right to supplement these Second Supplemental Initial Disclosures with such additional documents, electronically stored information, or other tangible things. In addition to the above-described documents, electronically stored information, or other tangible things, Plaintiffs may also rely upon other publicly available documents, electronically stored information, or other tangible things, and/or electronically stored information, or other tangible things produced by third parties in this or other litigations.

C. Computation of Damages

Plaintiffs do not seek damages.

D. Insurance Agreement

This component is inapplicable to Plaintiffs.

E. Local Rule 26.03(A)(1): A Short Statement of the Facts of the Case

The best statement of the facts of this case, pending discovery in this action, is contained

in Plaintiffs' Third Amended Complaint for Injunctive and Declaratory Relief (ECF No. 267), and Plaintiffs' Opposition to Senate Defendants' Motion to Dismiss (ECF No. (274)) and Plaintiffs' Opposition to House Defendants' Motion to Dismiss (ECF No. 275)).

F. Local Rule 26.03(A)(4): A Summary of the Claims or Defenses with Statutory and/or Case Citations Support the Same

The best summary of Plaintiffs' claims with statutory and/or case citations is contained in Plaintiffs' Third Amended Complaint for Injunctive and Declaratory Relief (ECF No. 267), and Plaintiffs' Opposition to Senate Defendants' Motion to Dismiss (ECF No. (274)) and Plaintiffs' Opposition to House Defendants' Motion to Dismiss (ECF No. 275)).

Dated: August 9, 2022

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman,*** Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
scoleman@naacpldf.org

Adriel I. Cepeda Derieux**
Samantha Osaki**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

* Motion for admission Pro Hac Vice
forthcoming
** Admitted Pro Hac Vice
*** Mailing address only (working remotely
from South Carolina)

Respectfully Submitted,

Christopher J. Bryant, Fed. ID 12538
BOROUGHHS BRYANT, LLC
1122 Lady St., Ste. 208
Columbia, SC 29201
Tel.: (843) 779-5444
chris@boroughsbryant.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Charleston, SC 29413-0998
Tel.: (843) 282-7953
Fax: (843) 720-1428
achaney@aclusc.org

Jeffrey A. Fuisz**
Paula Ramer**
ARNOLD & PORTER KAYE SCHOLER
LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER
LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

Counsel for Plaintiffs the South Carolina
Conference of the NAACP and Taiwan Scott

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL
COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

* Motion for admission *Pro Hac Vice*
forthcoming
** Admitted *Pro Hac Vice*

*Counsel for Plaintiff the South Carolina
Conference of the NAACP*

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Raymond Audain
Raymond Audain